



DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
1322 PATTERSON AVENUE SE SUITE 3000
WASHINGTON NAVY YARD DC 20374

IN REPLY REFER TO:

5720

Ser 14/181

March 23, 2018

Mr. Robert Hammond
707 Upham Place NW
Vienna, VA 22180
Email to: perseverance2013@aol.com

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA) REQUEST DON-NAVY
2018-003208

This responds to your FOIA request submitted via FOIA Online on January 13, 2017, and referred to this office on January 25, 2018. In your request you asked my office for:

1. For the government official identified as G. E. LATTIN, Director General Litigation Division, I am respectfully seeking the performance standards from 2016 to present. Note that I am not seeking the performance evaluations, only the performance standards. Other agencies have freely released this information for their personnel without charge. Lattin's prior performance standards were released. There should be no redaction of the rating officials who are all at the O6 level or above. Captain Paul C. Kiamos, DONJAG has claimed in a prior FOIA release to be Mr. Lattin's supervisor; and
2. I am also requesting that a copy of this FOIA Request (which is an agency record) be included as a responsive record integral to my Request.

Please find included as an Enclosure a copy of the records responsive to your request (including a copy of your request), subject to minor redactions under FOIA Exemption 5 U.S.C. § 552 (b)(6). Of note, as you specifically indicate in your request, I am providing you the performance standards only and not the performance evaluation sections of my performance appraisals.

FOIA Exemption (b)(6) allows the Government to withhold information about individuals when the disclosure of such information would constitute a clearly unwarranted invasion of personal privacy. This requires a balancing of personal privacy interests against the public interest served by disclosure – whether the release of the information will shed light on the agency's performance of its statutory duties. In this case, I redacted my own personally identifiable information (social security number and Department of Defense identification number).

I am the official responsible for making this FOIA release decision. You may consider

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this response adverse; if so, I am advising you of your right to appeal this determination. Your appeal must be postmarked within 90 calendar days from the date of this letter or submitted in FOIA Online within 90 calendar days from the date of this letter by clicking the appeal tab under this FOIA request and stating the grounds for your appeal. As we have asked on previous occasions, if you intend to appeal this decision in FOIA Online, please be sure to do so via the appeal button instead of submitting the appeal as a new FOIA request. Failure to do so causes significant administrative delay in processing FOIA requests and appeals. If submitted via regular mail, the appeal should be addressed to the Secretary of the Navy's designee:

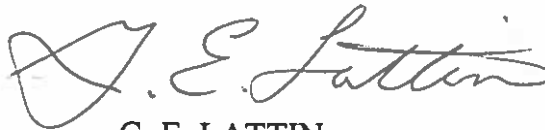
Office of the Judge Advocate General¹
Assistant Judge Advocate General (Civil Law)
1322 Patterson Avenue S.E., Suite 3000
Washington Navy Yard, DC, 20374-5066

The envelope and letter should bear the annotation "FOIA Appeal." Please include a copy of your original request, this response letter, and the grounds for your appeal.

You may also seek dispute resolution services from the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at Christopher.A.Julka@navy.mil or (703) 697-0031.

If you have any questions regarding this case, please contact Lieutenant Commander Adam Yost, JAGC, USN, who may be reached by email at adam.yost@navy.mil or by phone at 202-685-5398.

Sincerely,



G. E. LATTIN
Director
General Litigation Division

Enclosure
Copy of Responsive Documents

¹ This FOIA appellate authority is only applicable when requesters appeal decisions made by me acting in my capacity as an initial denial authority (IDA), which is the case because of the unique nature of your request.